

'That's the Fruit,' Juleped Oranges (design of half an orange) Contains 1/20 of 1% Sodium Benzoate. Small Amount of Certified Color \* \* \*," and "Manufactured by The Orange Julep Co., St. Louis, Mo."

Adulteration of the article was alleged in the libel for the reason that it was a product composed of sugar, glucose, water, flavor, and artificial color which had been substituted for orange juice sirup, and for the further reason that it was artificially colored in a manner whereby its inferiority was concealed, and for the further reason that it contained an added deleterious ingredient, to wit, salicylic acid, which might render the article injurious to health.

Misbranding of the article was alleged for the reason that the statements on the labels of the barrels, together with the pictorial designs thereon, were false and misleading and deceived and misled, and for the further reason that the quantity of the contents was not declared on the labels on the barrels.

On March 21, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

*Acting Secretary of Agriculture.*

**7105. Adulteration of oranges. U. S. \* \* \* v. 44 Boxes of Adulterated Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9703. I. S. No. 2500-r. S. No. W-276.)**

On February 14, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 44 boxes of oranges, remaining unsold in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped on January 30, 1919, by the Rialto Fruit Co., Rialto, Calif., and transported from the State of California into the State of Oregon, and charging adulteration in violation of the Food and Drugs Act. The article was labeled "Wild Flower Brand Randolph Marketing Co., California."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, and that frosted and damaged oranges had been substituted for normal oranges of good commercial quality.

On May 13, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

*Acting Secretary of Agriculture.*

**7106. Adulteration and misbranding of spring water. U. S. \* \* \* v. 10 Cases of West Baden Concentrated Spring Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9704. I. S. No. 5889-r. S. No. C-1069.)**

On February 14, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases of West Baden Concentrated Spring Water, consigned on December 16, 1918, by the West Baden Springs Co., West Baden, Ind., remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of Indiana into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "West Baden Concentrated Spring Water Best For The Bowels From West Baden Springs Co. West Baden, Ind." "Active Cathartic West Baden

Concentrated No. 7 Spring Water Fortified with Magnesium And Sodium Sulphates West Baden Springs Co. West Baden, Ind. U. S. A. \* \* \* Analyses \* \* \* Contents 1 Pint 9 3/5 Fluid Ounces. \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it contained and in part consisted of a filthy and decomposed animal substance.

Misbranding of the article was alleged for the reason that the label on the bottles bore and contained a statement, to wit, "Renders excellent service in all nutritional disturbances such as gout, rheumatism, uric acid, diabetes, obesity," regarding the curative and therapeutic effects of the article and of the ingredients and substances contained therein, [which] was false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it, and in that the product was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the statements borne on the labels of the bottles.

On September 9, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

*Acting Secretary of Agriculture.*

**7107. Misbranding of cottonseed meal. U. S. \* \* \* v. 500 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9705. I. S. No. 7522-r. S. No. C-1072.)**

On February 17, 1919, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 sacks of cottonseed meal, remaining unsold in the original unbroken packages at Garrison, Iowa, alleging that the article had been shipped on or about December 31, 1918, by the Hayes Grain & Commission Co., Little Rock, Ark., and transported from the State of Arkansas into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Supreme Brand Cotton Seed Meal."

Misbranding of the article was alleged for the reason that the statements borne on the labels were false and misleading and deceived and misled the purchaser in that the purchaser would believe that each of said sacks contained 6 per cent of crude fat, 38.6 per cent of crude protein, and not more than 10 per cent of crude fiber, when, in truth and in fact, said article contained only 5.46 per cent crude fat, 36.4 per cent crude protein, and 14.6 per cent crude fiber. Misbranding of the article was alleged for the further reason that it was food in sacks or containers, the contents of which were not plainly and conspicuously marked on the outside of the packages in terms of weight, measure, or number.

On March 17, 1919, W. C. Nothern and said Hayes Grain & Commission Co., and the Searcy Oil & Ice Co., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimants upon the payment of the cost of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product should be inspected and rebranded under the supervision of a representative of this department, so as to disclose accurately and correctly the contents thereof.

E. D. BALL,

*Acting Secretary of Agriculture.*